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ORDINANCE NO. 91-53

AN ORDINANCE OF THE BOARD OF COUNTY  
COMMISSIONERS OF PALM BEACH COUNTY,  
FLORIDA AMENDING ORDINANCE NO. 89-11  
RELATING TO THE REDEVELOPMENT TRUST FUND  
FOR THE WESTGATE/BELVEDERE HOMES  
COMMUNITY REDEVELOPMENT AGENCY; PROVIDING  
FOR THE RETURN OF TAX INCREMENT FUNDS  
ONLY WHEN SUCH FUNDS REMAIN UNCOMMITTED  
BY CONTRACT AND AFTER THE PAYMENT OF  
EXPENSES; PROVIDING FOR REPEAL OF LAWS IN  
CONFLICT; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR INCLUSION IN THE CODE OF  
LAWS AND ORDINANCES AND PROVIDING FOR AN  
EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Palm  
Beach County approved a Resolution finding that a slum and  
blighted area exists in the Westgate/Belvedere Homes area of  
Palm Beach County and that the rehabilitation, conservation  
and redevelopment of the Westgate/Belvedere Homes area is  
necessary to the public health, safety, morals and welfare of  
the residents of Palm Beach County; and

WHEREAS, the Board of County Commissioners of Palm  
Beach County made a further finding that there is a need for  
a community redevelopment agency, and created the  
Westgate/Belvedere Homes Community Redevelopment Agency  
(Westgate/Belvedere Homes CRA) pursuant to Ordinance; and

WHEREAS, the Board of County Commissioners of Palm  
Beach County approved a community redevelopment plan for the  
Westgate/Belvedere Homes CRA; and

WHEREAS, Section 163.387, Florida Statutes (1987) of  
the Community Redevelopment Act of 1969 mandates the  
establishment and funding of a redevelopment trust fund for  
the Westgate/Belvedere Homes CRA.

WHEREAS, the Board of County Commissioners of Palm  
Beach County adopted Ordinance No. 89-11, which created the  
Redevelopment Trust Fund for the Westgate/Belvedere Homes  
Community Redevelopment Agency, on June 20, 1989; and

WHEREAS, the need exists to clarify when the Agency  
must return tax increment funds in Section 2.09 of Ordinance  
89-11.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF

1 COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

2 I. AMENDMENT TO SECTION 2.09

3 Section 2.09 of Ordinance 89-11 shall be amended to  
4 read as follows:

5 On the last day of the fiscal year of the  
6 Westgate/Belvedere Homes CRA, any money which remains in the  
7 trust fund uncommitted by an executed contract and after the  
8 payment of operating expenses and expenses pursuant to section  
9 2.07 for such year shall be:

10 A. Returned to each taxing authority which paid the  
11 increment in the proportion that the amount of the payment of  
12 such taxing authority bears to the total amount paid into the  
13 trust fund by all taxing authorities within the redevelopment  
14 area for that year;

15 B. Used to reduce the amount of any indebtedness to  
16 which increment revenues are pledged; or

17 C. Deposited into an escrow account for the purpose  
18 of later reducing any indebtedness to which increment revenues  
19 are pledged.

20 II. REPEAL OF LAWS IN CONFLICT:

21 All local laws and ordinances applying to the  
22 unincorporated area of Palm Beach County in conflict with any  
23 provision of this ordinance are hereby repealed.

24 III. SEVERABILITY:

25 If any section, paragraph, sentence, clause, phrase,  
26 or word of this ordinance is for any reason held by the Court  
27 to be unconstitutional, inoperative or void, such holding  
28 shall not affect the remainder of this ordinance.

29 IV. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:

30 The provision of this ordinance shall become and be  
31 made a part of the code of laws and ordinances of Palm Beach  
32 County, Florida. The Sections of the ordinance may be  
33 renumbered or relettered to accomplish such, and the word  
34 "ordinance" may be changed to "section," "article," or any  
35 other appropriate word.

1           **V.     EFFECTIVE DATE:**

2           The provisions of this ordinance shall become  
3           effective upon receipt of acknowledgement by the Secretary of  
4           State.

5           ~~APPROVED AND ADOPTED~~ by the Board of County  
6           Commissioners of Palm Beach County, on the 17th day  
7           of December, 1991.

8           PALM BEACH COUNTY, FLORIDA,  
9           BY ITS BOARD OF COUNTY COMMISSIONERS

10          By Karen Marcus

11          Chairman

12          APPROVED AS TO FORM AND  
13          LEGAL SUFFICIENCY

14          Tammy K. Dinkins  
15          COUNTY ATTORNEY

JOHN B. DUNKLE, CLERK  
Board of County Commissioners

By Michele B. Brown  
DEPUTY CLERK

16          Acknowledgement by the Department of State of the State  
17          of Florida, on this, the 23rd day of  
18          December, 1991.

19          EFFECTIVE DATE: Acknowledgement from the Department of  
20          State received on the 27th day of December, 1991,  
21          at 3:44 P.M. and filed in the Office of the  
22          Clerk of the Board of County Commissioners of Palm Beach  
23          County, Florida.

24          (trustfun.d)